

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ANTHONY WILLIAMS,

Petitioner,

Case No. 1:14-cv-15

v.

Honorable Robert J. Jonker

LLYOD RAPELJE,

Respondent.

ORDER OF TRANSFER

This is a habeas corpus proceeding brought by a state prisoner pursuant to 28 U.S.C. § 2254. On April 3, 2012, Petitioner was convicted in the Wayne County Circuit Court of voluntary manslaughter, MICH. COMP. LAWS § 750.321, felon in possession of a firearm, MICH. COMP. LAWS § 750.224f, larceny from a person, MICH. COMP. LAWS § 750.357, and possession of a firearm during the commission of a felony, MICH. COMP. LAWS § 750.227b. He was sentenced as a habitual offender to a 12 to 30 year term of imprisonment for the voluntary manslaughter conviction, a 5 to 10 year term of imprisonment for the possession of a firearm during the commission of a felony conviction, a 5 to 20 year term of imprisonment for the larceny conviction and a 2 year term of imprisonment for the felony in possession of a firearm conviction.

Venue in habeas corpus actions is governed by 28 U.S.C. § 2241. That statute allows a petition to be filed either in the district where the petitioner is in custody or in the district in which the petitioner was convicted. 28 U.S.C. § 2241(d). Petitioner presently is incarcerated at Saginaw Correctional Facility, located in Saginaw County. As set forth above, Petitioner was convicted in Wayne County. Both Saginaw and Wayne Counties are located in the Eastern District of Michigan.

28 U.S.C. § 102(a). Venue, therefore, lies in that district, not in the Western District of Michigan.

Accordingly,

IT IS ORDERED that this case is hereby transferred to the United States District Court for the Eastern District of Michigan pursuant to 28 U.S.C. § 1406(a).

Dated: January 27, 2014

/s/ Hugh W. Brenneman, Jr.
HUGH W. BRENNEMAN, JR.
United States Magistrate Judge